

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

**MELANIE B. FERLITO**

**Plaintiff,**

**vs.**

**Civil Action No.:**

**4:11-cv-00125-MSD-TEM**

**NCB MANAGEMENT  
SERVICES, INC.,  
John Does 1 thru 10**

**Defendant(s).**

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**MOTION TO DISMISS AMENDED COMPLAINT**

NOW COMES defendant NCB Management Services, Inc., by and through undersigned counsel, and respectfully requests that this Court enter an Order granting its Motion to Dismiss for failure to state a claim upon which relief can be granted. The accompanying memorandum supports this motion.

This the 9<sup>th</sup> day of April, 2012.

Respectfully submitted,

/s/ Amy L. Rich

Amy L. Rich

NC State Bar No. 35176

DOUGHTON & RICH PLLC

633 West Fourth Street, Suite 150

Winston-Salem, NC 27101

Telephone: (336) 725-9416

Facsimile: (336) 725-5129

arich@doughtonrichlaw.com

*Attorney for Defendant,*

*NCB Management Services, Inc.*

## **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing **MOTION TO DISMISS AMENDED COMPLAINT** with the Clerk of Court using the CM/ECF system, and I hereby certify that I have mailed via U.S. First Class Mail the document to the following non CM/ECF participants:

Melanie B. Ferlito  
4920 Arbor Chase Drive  
Raleigh, NC 27616  
*Plaintiff*

This the 9<sup>th</sup> day of April, 2012.

/s/ Amy L. Rich  
Amy L. Rich  
NC State Bar No. 35176  
DOUGHTON & RICH PLLC  
633 West Fourth Street, Suite 150  
Winston-Salem, NC 27101  
Telephone: (336) 725-9416  
Facsimile: (336) 725-5129  
arich@doughtonrichlaw.com

*Attorney for Defendant,  
NCB Management Services, Inc.*